

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MARYLAND

(Northern Division)

IN THE MATTER OF THE COMPLAINT *

OF ETERNITY SHIPPING, LTD. AND * Civil Action No.:

EUROCARRIERS, S.A. FOR * LO1CV0250

EXONERATION FROM OR LIMITATION *

OF LIABILITY *

ORIGINAL

- - - - -

Deposition of WILLEM SCHOONMADE

Baltimore, Maryland

Thursday, August 26, 2004

2:30 P.M.

Job No.: 1-39309

Pages 1 - 174, Volume 1

Reported by: Colleen L. Darkow, Notary Public

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CONDUCTED ON THURSDAY, AUGUST 26, 2004

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1 A. If all the other conditions were as I just
2 described, that is, only hoisting with a crane or
3 slewing, that might have the same effect when either
4 the hook or the basket or whatever part of the lower
5 tackle is kept fixed, for instance, under the hatch
6 coaming, then you would load your boom -- your boom
7 wire.

8 Q. And is there any evidence that you've seen of
9 any contact between the basket and the hatch coaming at
10 the -- when the -- when the crane was in the attitude
11 it was at the time of this incident?

12 A. There is one of the photographs in the -- in
13 the Coast Guard report that could indicate that.

14 Q. Could indicate that?

15 A. Could indicate. Well, it's -- the copy I
16 have is not a very clear copy. And it's taken from a
17 way and you cannot judge from that whether it's being
18 kept fixed or not. It could be.

19 Q. Now, did you -- you met Mr. Heiner Popp, or
20 Captain Heiner Popp, correct?

21 A. I did.

22 Q. And he was a representative of the owners and

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1 operators of the LEON 1, correct?

2 A. Yeah.

3 Q. And he was one of the first representatives
4 of the owners and operators to be on the vessel
5 following this incident, correct?

6 A. Correct.

7 Q. And is it your understanding that he was
8 there for purposes of documenting facts and evidence
9 concerning this casualty?

10 A. That's my understanding, yes, sir.

11 Q. That's your understanding from meeting him
12 and/or looking at his report, or is that your
13 understanding from speaking with him?

14 MR. CLYNE: Objection.

15 A. That's my -- my understanding in general
16 sense. If somebody goes on board after an accident,
17 it's not just as an excursion.

18 MR. CLYNE: Okay. Don't guess and don't
19 assume. I mean if you know the instructions that
20 Heiner Popp had --

21 THE WITNESS: I do not know

22 MR. CLYNE: -- then tell Mr. Asperger. If

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STATE OF MARYLAND

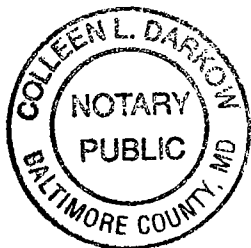
COUNTY OF BALTIMORE SS:

I, Colleen Darkow, Notary Public of the State of Maryland, do hereby certify that WILLEM SCHOONMADE personally appeared before me at the time and place herein set out, and, after having been duly sworn by me, was examined by counsel.

I further certify that the examination was recorded stenographically by me and that this transcript is a true record of the proceedings.

I further certify that I am not of counsel to any of the parties, nor an employee of counsel, nor related to any of the parties, nor in any way interested in the outcome of this action.

As witness my hand and notarial seal this 9th day of September 2004.



Colleen L. Darkow
Colleen Darkow

Notary Public